MINUTES LANCASTER COUNTY BOARD OF EQUALIZATION TUESDAY, JANUARY 9, 2001 COUNTY COMMISSIONERS CHAMBERS FIRST FLOOR, COUNTY-CITY BUILDING 1:30 P.M.

Commissioners Present: Kathy Campbell, Chair

Larry Hudkins, Vice Chair

Linda Steinman Bob Workman

Commissioners Absent: Bernie Heier

Others Present: Norm Agena, County Assessor

Kerry Eagan, Chief Administrative Officer David Johnson, Deputy County Attorney

Bruce Medcalf, County Clerk

Gwen Thorpe, Deputy County Clerk

Commissioner Hudkins noted that he would chair the meeting at the request of Commissioner Campbell.

1) MINUTES: Approval of the minutes of the Board of Equalization meeting held on Tuesday, December 19, 2000. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Workman moved and Steinman seconded approval of the Board of

Equalization meeting dated December 19, 2000. Campbell, Hudkins,

Workman and Steinman voted ave. Motion carried.

2) ADDITIONS AND DEDUCTIONS:

Approval of 43 additions and deductions to the tax assessment rolls per Exhibit A.

MOTION: Workman moved and Steinman seconded approval. Campbell,

Steinman, Hudkins and Workman voted aye. Motion carried.

3) APPROVAL OF MOTOR VEHICLE TAX EXEMPTIONS:

American Legion, Department of Nebraska
Blessed Sacrament School
BryanLGH Medical Center
Cedars Youth Services
Christ Lutheran Church
Christian Record Services, Inc.
Clyde Malone Community Center
Goodwill Industries Serving Southeast Nebraska, Inc.
Nebraska Wesleyan University
Sisters of Mary, Queen of Mercy
Southeast Nebraska Mobile Diagnostic Services, Inc.
St. Joseph's Church & School of Lincoln
Tabitha Inc.

MOTION: Steinman moved and Campbell seconded approval of motor vehicle tax exemptions for American Legion, Department of Nebraska, Blessed Sacrament School, BryanLGH Medical Center, Cedars Youth Services, Christ Lutheran Church, Christian Record Services, Inc., Clyde Malone Community Center, Goodwill Industries Serving Southeast Nebraska, Inc., Nebraska Wesleyan University, Sisters of Mary, Queen of Mercy, Southeast Nebraska Mobile Diagnostic Services, Inc., St. Joseph's Church & School of Lincoln and Tabitha Inc. and to also approve motor vehicle exemptions for a 2001 GMC 4x4 pickup and a 2001 Ford F250 pickup for BryanLGH Medical Center subject to the applicant titling and registering the vehicles. Steinman, Workman, Campbell and Hudkins voted aye. Motion carried.

4) SETTING OF PUBLIC HEARING FOR NOTICE OF VALUATION CHANGE:

Setting of public hearings for Tuesday, January 30, 2001 at 2:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for notice of valuation change for omitted or undervalued property for the following:

Bryan Bennett Carl and Tina Hudson James Loutzenhiser Albert Reddish MOTION: Steinman moved and Workman seconded to set public hearings for Tuesday, January 30, 2001 at 2:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for notice of valuation change for omitted or undervalued property for Bryan Bennett, Carl and Tina Hudson, James Loutzenhiser and Albert Reddish. Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

The Vice Chair recessed the Board of Equalization meeting until 2:30 p.m. when it was reconvened.

5) <u>APPEAL FILED ON PENALTY ASSESSED ON PERSONAL PROPERTY FOR</u> THE FOLLOWING:

A-Plus Power Washing

No representative appeared.

Nebraska Surgery Center

Jane Haire appeared on behalf of Nebraska Surgery Center and stated that the Center is a relatively new entity which opened in October, 1999. She explained they were unaware that they needed to notify anyone that they were leasing not-for-profit property.

Norm Agena, County Assessor, explained that prior to 2000 they were able to assess a 10 percent penalty against a first time filer, however, in 2000 the Legislature changed the State Statute. The statute now indicates that a 25 percent late filing penalty must be assessed if a personal property form is filed after August 1st. Agena also said that the County Board has no statutory leeway in which to waive the penalty. He also noted that only the dollar amount can be appealed, not the percentage of the penalty.

Pinnacle Towers Inc.

No representative appeared.

5) APPEAL FILED ON PENALTY ASSESSED ON PERSONAL PROPERTY CONTINUED:

Four Ton Corporation

Norm Agena, County Assessor, requested the item be held one week.

Agena recommended that a 25 percent penalty be assessed against personal property for A-Plus Power Washing, Nebraska Surgery Center and Pinnacle Towers, Inc. and that Four Ton Corporation be held for one week.

MOTION: Steinman moved and Workman seconded to accept the County
Assessor's recommendation and assess a 25 percent penalty against
personal property for A-Plus Power Washing, Nebraska Surgery Center
and Pinnacle Towers Inc.

Workman stated he would like to see the penalty reduced in the future.

ROLL CALL: Hudkins, Steinman and Workman voted aye. Campbell was absent from voting. Motion carried

6) **ADJOURNMENT**

MOTION: Workman moved and Steinman seconded adjournment of the Board of Equalization meeting. Steinman, Workman and Hudkins voted aye. Campbell was absent from voting. Motion carried.

Bruce Medcalf	
County Clerk	

MINUTES LANCASTER COUNTY BOARD OF COMMISSIONERS TUESDAY, JANUARY 9, 2001 COUNTY COMMISSIONERS CHAMBERS FIRST FLOOR, COUNTY-CITY BUILDING 1:30 P.M.

Commissioners Present: Kathy Campbell, Chair

Larry Hudkins, Vice Chair

Linda Steinman Bob Workman

Commissioners Absent: Bernie Heier

Others Present: Kerry Eagan, Chief Administrative Officer

David Johnson, Deputy County Attorney

Bruce Medcalf, County Clerk

Gwen Thorpe, Deputy County Clerk

1) <u>MINUTES:</u> Approval of the minutes of the Board of Commissioners meeting held on Tuesday, December 19, 2000. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

MOTION: Steinman moved and Workman seconded approval of the minutes of

the Board of Commissioners meeting dated December 19, 2000. Campbell, Hudkins, Workman and Steinman voted aye. Motion

carried.

2) <u>CLAIMS:</u> Approval of all claims processed through Tuesday, January 9, 2001.

MOTION: Workman moved and Campbell seconded approval. Campbell, Steinman, Hudkins and Workman voted aye. Motion carried.

3) **SPECIAL PRESENTATIONS:**

A. Lora Grant was recognized for 28 years of service to Lancaster County.

4) **PUBLIC HEARINGS**:

A. County Final Plat Number 99050, Hilltop Estates 1st Addition, requested by Brian D. Carstens and Associates on behalf of Bill Carlson, for eight residential lots and one outlot for open space, on property generally located at the northeast corner of South 82nd Street and Pella Road in Lancaster County, Nebraska.

Brian Carstens, appearing on behalf of Bill Carlson, indicated that the final plat consists of eight lots in an Agricultural "AG" community unit plan. He stated there was split jurisdiction with the Village of Firth and noted that the final plat had been approved by their board.

MOTION: Steinman moved and Campbell seconded approval of County Final Plat Number 99050, Hilltop Estates 1st Addition. Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

5) **NEW BUSINESS**:

A. A contract with Mary L. Paine, Ph.D. to provide up to 20 hours a week of specialized psychological services at the Community Mental Health Center, beginning January 1, 2001 and ending June 20, 2001. The County will pay \$50 per hour for the term of the contract. (C-01-1)

MOTION: Workman moved and Campbell seconded approval.

David Johnson, Deputy County Attorney, stated if the County Board approved the contract, an amendment would follow at a later date for payment of approximately 13 hours of work performed by Mary L. Paine during the year 2000, at a rate of \$55 per hour.

ROLL CALL: Hudkins, Steinman, Workman and Campbell voted aye. Motion carried.

B. A consultant retainer contract with the Lincoln Regional Center of the Health and Human Services System of the State of Nebraska for housekeeping services for the Department's Short Term Care Program, beginning July 1, 2000 and ending June 30, 2001. The County will receive \$1,025 per month, not to exceed \$12,300. (C-01-6)

MOTION: Steinman moved and Workman seconded approval. Steinman, Workman, Campbell and Hudkins voted aye. Motion carried.

C. An agreement with Heartland Big Brothers Big Sisters to provide professional services to ensure development of the mentoring recruitment and training program to assist Families First and Foremost, beginning September 1, 2000 and ending August 31, 2001. The County will pay \$82,650 for these services. (C-01-5)

David Johnson, Deputy County Attorney, noted that the County would pay up to \$82,650 for services. He added that payment is based on expense reimbursement.

MOTION: Steinman moved and Workman seconded approval. Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

D. An agreement with the State of Nebraska Probation Administration for a Coordinator position to assist in managing the Lancaster County Drug Court for adult offenders, at a cost of \$48,000, paid through grants obtained to administer Lancaster County's Drug Court. (C-01-7)

MOTION: Steinman moved and Workman seconded approval. Campbell, Steinman, Workman and Hudkins voted aye. Motion carried.

E. An agreement with the State of Nebraska, on behalf of the State Court Administrator, and Lancaster County in relation to the Indigent Defense Screener Project. The County will provide a Defense Eligibility Technician to assist in the determination of indigent defense services and the State will assist in the administration of the project. Term of the agreement is from the date of execution for a period of three years. (C-01-8)

MOTION: Steinman moved and Workman seconded approval.

Steinman stated the agreement would be a way to gain control on some of the costs associated with the courts. She added that the State would be observing the project and if it is successful it may be instituted in other counties.

ROLL CALL: Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

F. An agreement with Lancaster Rural Water District Number 1 of Bennet, Nebraska to adjust the District's facility in relation to County Project C55-P-409(2), Pioneers Boulevard from South 98th Street to South 112th Street. The County's estimated cost is \$58,141.03. (C-01-13)

David Johnson, Deputy County Attorney, requested the agreement be held for one week.

By direction of the Vice Chair, the agreement was held for one week.

G. An agreement with the City of Lincoln to provide medical services at the Lancaster County Juvenile Detention Center. The County will pay a single retaining fee of \$547.24 per month for the Health Department's services, \$39,500 for one full-time registered nurse, \$9,800 for a .25 time registered nurse, \$69.22 per physician's visit and other costs as indicated in the agreement. Term of the agreement is upon date of execution and ending June 30, 2001. (C-01-11)

MOTION: Steinman moved and Workman seconded approval. Workman, Campbell, Hudkins and Steinman voted aye. Motion carried.

H. A Federal Equitable Sharing Agreement between the United States Department of Justice and the Lancaster County Attorney's Office agreeing they are bound by statute and guidelines that regulate shared assets. The agreement is valid through September 30, 2002. (C-01-10)

MOTION: Steinman moved and Workman seconded approval. Hudkins, Workman, Campbell and Steinman voted aye. Motion carried.

I. A grant contract with the Community Mental Health Endowment to grant the County \$10,000 to utilize a .25 time nurse practitioner with a psychiatric specialization, beginning January 1, 2001 and ending December 31, 2001. (C-01-9)

Dean Settle, Community Mental Health Center Director, noted that the grant contract is with the Community Health Endowment, not the Community Mental Health Endowment. He explained that the contract is a pilot grant to develop a protocol with the Medical Director at the Mental Health Center in the utilization of a psychiatric nurse practitioner. Settle added that they are also proposing that the supervising physician develop a protocol which would allow the nurse practitioner and the supervising psychiatrist to work together.

David Johnson, Deputy County Attorney, added that any expansion of the subcontract would come before the County Board for approval.

MOTION: Steinman moved and Campbell seconded approval. Campbell, Steinman, Workman and Hudkins voted aye. Motion carried.

J. A program agreement between the State of Nebraska, Department of Roads and Lancaster County for Project BR-3380(4), Waverly Northwest, County Structure A-136. The County will pay 10 to 20 percent of the cost and will allocate \$77,780 for the project. The State will pay 0 to 10 percent of the project cost. (C-01-14)

MOTION: Campbell moved and Steinman seconded approval. Hudkins, Campbell, Steinman and Workman voted aye. Motion carried.

K. An agreement with PayFlex Systems USA, Inc. for Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) administration, at a rate of \$.60 per County employee, per month. (C-01-19)

MOTION: Steinman moved and Workman seconded approval. Campbell, Hudkins, Workman and Steinman voted aye. Motion carried.

L. An Intergovernmental Memorandum of Agreement between the State of Nebraska, Department of Health and Human Services and Lancaster County for providing community based residential and non-residential evaluations for youth of the Southeast Service Area, beginning January 1, 2001 and ending December 31, 2001. The County will be paid \$21,521 per month, beginning March 1, 2001 for the services provided. (C-01-21)

David Johnson, Deputy County Attorney, stated he spoke with a representative from the State regarding changes in the agreement. He added that he should have a signed agreement or a draft of the agreement, including the changes, next week and requested that the item be held for one week.

By direction of the Vice Chair, the intergovernmental memorandum of agreement was held for one week.

M. An amendment to a contract with the State of Nebraska, Department of Health and Human Services for a comprehensive system of care for children and adolescents with serious emotional disorders and their families within Lancaster County. The term of the contract will be extended from September 1, 2000 through August 31, 2003 and the State will pay \$5,178,562 over the term of the contract. (C-01-20)

MOTION: Steinman moved and Campbell seconded approval. Steinman, Workman, Campbell and Hudkins voted aye. Motion carried.

N. An amendment to a recycling services agreement with Midland Recycling extending the agreement for one term, beginning January 1, 2001 and ending December 31, 2001. All other terms and conditions shall remain in full force and effect. (C-01-12)

David Johnson, Deputy County Attorney, recommended approval of the amendment with the condition that Lancaster County be listed as an additional insured.

MOTION: Steinman moved and Workman seconded approval of the amendment with the condition that Lancaster County be listed as an additional insured. Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

O. A resolution adopting the 2001 annual salary increases for Chief Deputies, effective December 28, 2000. (R-01-1)

Terry Wagner, Sheriff, requested the salary increase for Chief Deputy William Jarrett be held.

MOTION: Steinman moved and Campbell seconded approval of Resolution 01-1 adopting the 2001 annual salary increases for Chief Deputies, effective December 28, 2000, with the exception of the salary for Chief Deputy William Jarrett. Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

P. Recommendation from the Purchasing Agent and the County Engineer to award a bid for rock hauling to the following: (B-01-1)

Project 01-16H - 9,200 Tons to Waverly Maintenance Yard

Buel Trucking, Inc. (Hauler) at \$1.69/Ton = \$15,548 Kerford Limestone (Producer) at \$7.95/Ton = \$73,140

\$ 88,688

Project 01-17H - 9,000 Tons to Raymond, NE Stockpile

Westover Trucking (Hauler) at 3.35/Ton = 30,150Kerford Limestone (Producer) at 7.95/Ton = 7.550

\$101,700

Project 01-18H - 4,000 Tons to Walton Stockpile

Buel Trucking, Inc. (Hauler) at \$1.49/Ton = \$5,960 Kerford Limestone (Producer) at \$7.95/Ton = \$31,800

\$ 37,760

Project 01-19H - 8,600 Tons to SW 12th & Saltillo Rd Stockpile

Westover Trucking (Hauler) at \$2.77/Ton = \$23,822 Kerford Limestone (Producer) at \$7.95/Ton = \$68,370

\$92,192

Project 01-20H - 11,200 Tons to Roca Stockpile

Westover Trucking (Hauler) at 2.49/Ton = 27,888Kerford Limestone (Producer) at 7.95/Ton = 89,040

\$116,928

Total Cost of Hauling and Production: \$437,268.

MOTION: Steinman moved and Workman seconded approval. Steinman, Workman, Campbell and Hudkins voted aye. Motion carried.

Q. Authorization of Wells Fargo Bank, as Trustee, to disburse \$6,814.96 from the juvenile detention center bond proceeds to Sinclair Hille Architects for architectural services provided for the new Lancaster County Juvenile Detention Center. (M-01-1)

MOTION: Steinman moved and Campbell seconded approval. Workman, Hudkins, Campbell and Steinman voted aye. Motion carried.

R. Approval of the Noxious Weed Control Plan for Lancaster County for the year 2001.

Russ Shultz, Weed Control Superintendent, gave a brief overview of the following:

- Inspections completed
- Violations
- Infestation
- ► Inspections for year 2001
- Program Management

MOTION: Steinman moved and Campbell seconded approval. Campbell, Steinman, Workman and Hudkins voted aye. Motion carried.

S. A political subdivision tort claim filed against Lancaster County by Mark Heithoff, in the amount of \$242.15, for damaged property.

MOTION: Steinman moved and Workman seconded to accept the Workers' Compensation and Risk Management Manager's recommendation and approve the tort claim filed by Mark Heithoff, in the amount of \$242.15.

David Johnson, Deputy County Attorney, explained that he had reviewed the statutes and indicated that the County maintains the level of rock in their trucks at a specified height making it unnecessary to use a tarp.

ROLL CALL: Workman, Steinman, Campbell and Hudkins voted aye. Motion carried.

T. New appointments and reappointment of the following individuals to the Lincoln-Lancaster Women's Commission:

Name of Individual	Expiration of Term
Mary Beck (reappointment)	January 1, 2004
Sarah Porto (reappointment)	January 1, 2004
Nancy Intermill (replacing Jody Busse)	January 1, 2004
Maria Salinas Sherffius (replacing Sandy	January 1, 2004
Johnson)	
Helen Moore (replacing Pat Galitz)	March 1, 2002

MOTION: Steinman moved and Campbell seconded approval. Steinman, Hudkins, Workman and Campbell voted aye. Motion carried.

(Commissioner Campbell exited the chambers.)

U. Appointment of Joanne Farrell to the Community Mental Health Center Advisory Committee, beginning January, 2001 and ending December, 2004.

MOTION: Steinman moved and Workman seconded approval. Workman, Hudkins and Steinman voted aye. Campbell was absent from voting. Motion carried.

V. New appointments and reappointments of the following individuals to the Government Access and Information Committee (GAIC):

Name of Individual	Expiration of Term
Jim Langtry (reappointment)	December 31, 2001
Maura Kelly-Tolzin (reappointment)	December 31, 2001
Shannon Ideus (replacing Kent Morgan)	December 31, 2001

MOTION: Steinman moved and Workman seconded approval. Hudkins, Workman and Steinman voted aye. Campbell was absent from voting. Motion carried.

5) <u>NEW BUSINESS CONTINUED:</u>

W. Appointment of Dr. Dale Michaels as the Lancaster County Board's representative on the EMS, Inc. Board of Directors, beginning immediately and ending March 28, 2002.

MOTION: Workman moved and Steinman seconded approval. Steinman, Workman and Hudkins voted aye. Campbell was absent from voting. Motion carried.

6) CONSENT ITEMS: These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

- 1. County Clerk's Monthly Report for December, 2000.
- 2. Records & Information Management's Monthly Report for December, 2000.
- 3. Lincoln City Libraries Director's Report for November, 2000.
- 4. Northern Natural Gas Company Pipeline Safety Information.
- B. Setting of public hearings for Tuesday, January 23, 2001 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the following:
 - 1. County Miscellaneous Number 00012, requested by the Lancaster County Engineer, to amend the County Subdivision Resolution to add text to delete outdated language and update references regarding minimum improvements.
 - 2. County Change of Zone Number 201, from "AG" Agricultural to "AGR" Agricultural Residential, requested by Lyle Loth of ESP on behalf of South 68th Street, L.L.C., on property generally located at the southeast corner of South 68th Street and Roca Road in Lancaster County, Nebraska.

6) **CONSENT ITEMS CONTINUED:**

- 3. Preliminary Plat Number 00018, Hickman Ridge Estates (formerly known as "Roca Ridge"), requested by Lyle Loth of ESP on behalf of South 68th Street, L.L.C., for 33 lots on property generally located at the southeast corner of South 68th Street and Roca Road in Lancaster County, Nebraska.
- C. Setting of public hearings for Tuesday, January 30, 2001 at 1:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building regarding the following:
 - 1. County Special Permit Number 185, Stevens Creek Pointe Community Unit Plan, requested by Brian D. Carstens and Associates on behalf of Gerry and Dianne Krieser, for seven single family dwelling units on property generally located at North 134th and Adams Streets in Lancaster County, Nebraska.
 - 2. Preliminary Plat Number 00027, Stevens Creek Pointe, requested by Brian D. Carstens and Associates on behalf of Gerry and Dianne Krieser, for seven lots on property generally located at North 134th and Adams Streets in Lancaster County, Nebraska.
- D. Requests from Patricia Embich and Betsy Bessert, employees with the County Treasurer's office, to voluntarily participate in the Lancaster County Retirement Plan. (M-01-4) (M-01-5)
- E. A right-of-entry agreement between the Lancaster County Engineer and Roland L. and Jennifer T. Meyer for reconstruction of a portion of the Ash Hollow Channel; Project 01-21. (C-01-2)
- F. Right-of-way contracts between the County Engineer and the following relating to road improvements:
 - ► Jeff Kubik, in the total amount of \$3,675.50, on South 68th Street from Roca Road to Saltillo Road; Project STPE-3265(6). (2 contracts) (C-01-3 and C-01-4)
 - Arthur W and Norma P. Hornung, in the total amount of \$5,858.13, on South 54th Street from Roca to Saltillo Roads; Project C55-S-405(1). (3 contracts) (C-01-16 through C-01-18)
 - Dwain C. and Karen A. Carlson, in the amount of \$911, on South 68th Street from Hickman to Saltillo Road; Project STEP-3265(6). (C-01-15)

6) **CONSENT ITEMS CONTINUED:**

MOTION: Steinman moved and Workman seconded approval of the Consent Items. Hudkins, Steinman and Workman voted aye. Campbell was absent from voting. Motion carried.

7) OTHER BUSINESS:

Mike Morosin, citizen, distributed and briefly discussed the following concepts which he feels are important to the education system (Exhibit A):

- Critical thinking
- Political systems
- American politics
- Civic obligations
- American history
- World history
- Current events
- Economics
- Culture and society
- Self identity

8) **ADJOURNMENT**

MOTION: Steinman moved and Workman seconded adjournment of the Board of Commissioners meeting. Hudkins, Workman and Steinman voted aye. Campbell was absent from voting. Motion carried.

Bruce Medcalf	
County Clerk	